

Department of Justice

Bureau of Alcohol, Tobacco, Firearms and Explosives

Supporting Statement

ATF Form 4587 (5330.4)  
OMB Control No. 1140-0009

Application to Register as an Importer of U.S. Munitions Import List Articles

A. Justification

1. Through eligibility and permit requirements, the Arms Export Control Act of 1976 established a comprehensive system for regulating the importation of defense articles and defense services. This information collection request communicates to potential respondents the specifications for collections of information mandated or authorized by statute or regulations with respect to the importation of such articles.

Under 22 U.S.C. 2778 and the implementing regulations in 27 CFR Part 447, persons engaged in the business of importing defense articles and defense services are required to register (ATF F 4587 (5330.4)) with the Bureau of Alcohol, Tobacco, Firearms and Explosives and pay a registration fee.

On December 6, 1984, the Department of State published a final rule (49 FR 47684) revising the International Traffic in Arms Regulations (ITAR). ATF subsequently published a final rule (50 FR 42157 (1985)) to conform 27 CFR 447 with the revised ITAR. The final rule became effective on October 11, 1985. The procedures to register as an importer have not changed..

An explanation of the circumstances that make the collection of information necessary follows for each data element that appears on the information collection request ATF F 4587 (5330.4). Item #1. The name and address are necessary in order to return the application to the applicant, to correspond with the registrant, and to ensure that the registrant has suitable premises to conduct business and maintain required records. 2. The telephone number expedites the processing of the application by allowing ATF to talk to the applicant or registrant to resolve questions when possible without having to resort to formal and time consuming correspondence. 3. The current AECA registration number expedites the processing of the application by allowing ATF to quickly determine if the applicant is already registered. This is necessary in determining the previous registration expiration date and assigning a new expiration date. 4. The applicant has the option by regulation (27 CFR 47.32) to register for a period of from 1 to 5 years. This block implements that regulation and provides a record after the check or money order has been deposited. 5. It is necessary to determine whether the business entity making application is an individual, partnership, corporation or other legal entity in order to determine (1) that the applicant is a legitimate business enterprise, (2) the proper licensing and registration requirements for the particular entity, and (3) that the application to register and subsequent applications to import are executed by properly authorized persons. 6. The date and place of incorporation or commencement of business are necessary to ensure that the applicant is a legitimate business entity and, in the case of foreign entities and individuals, authorized to conduct business in the United States. 7. The importation of firearms, ammunition, and

implements of war are subject to licensing and registration requirements of the Gun Control Act (18 U.S.C. Chapter 44) and the National Firearms Act (26 U.S. C. Chapter 53) as well as the Arms Export Control Act (22 U.S. C. 2778). In order to approve an application to import firearms, ammunition, and implements of war, it is necessary to verify that the registrant has become properly licensed and registered under the GCA and the NFA, if required. 9. The information required for each individual owner, partner, and principal officer is necessary to verify that the business entity and persons are legitimate, to verify that the registration and subsequent applications are executed by properly authorized individuals, and to facilitate identification of persons who may be involved in illegal activity. 10. thru 13. The information required in these blocks enables ATF to determine if registration under the AECA is actually required and what, if any, additional licensing and registration requirements must be met. Fees are returned if ATF determines that registration is not required. 14. thru 16. The signature, title, and date are necessary to ensure that the application is properly executed by a properly authorized person.

There has been a few changes. The changes include the addition of a block for an email address. This is now block #3. All subsequent blocks on the form have had their numbers changed accordingly.

On the Instruction Page, #3, first sentence, "Item 4" has been changed to "Item 5". #7, first sentence, "(Item 7)" has been changed to "(Item 8)" and #8, first sentence "(Item 8)" has been changed to "(Item 9)".

2. The data provided by this information collection request is used by ATF personnel to (1) determine if the applicant is required to register as an importer (2) effect the registration and (3) facilitate the collection of the registration fees. Also, the information is used to aid ATF in its law enforcement and regulatory activities with respect to the regulation of firearms and ammunition. The information may also be disclosed to other Federal, State, foreign and local law enforcement and regulatory agency personnel to verify the information on the application and to aid in the performance of their duties with respect to the regulation of firearms and ammunition; and to the State Department in connection with its duties and responsibilities in the area of foreign affairs. The information may be further be disclosed to the Justice Department, if it appears that the furnishing of false information may constitute a violation of Federal law.

3. ATF has the ability to accept an electronic version of this form through Pay.gov. Individuals with disabilities can access this form. The respondent may also mail the application (ATF F 4587) which includes an original signature in duplicate along with the registration fee to the ATF lock box address located in Atlanta, Georgia. The lock box is a bank who in turn deposits the fee, photocopies the check or money order and sends the duplicate form and the photocopy to ATF Headquarters.

4. ATF uses a uniform subject classification system to identify duplication and to ensure that any similar information already available cannot be used or modified for use for the purpose of this information collection.

5. There is no impact on small businesses.

6. Less frequent collection of this information would substantially increase the potential possibility for illegal introduction into domestic commerce of firearms, ammunition and implements of war. This would pose a threat to public safety by exacerbating crime and violence, and undermine the declared law enforcement, foreign policy, and/or revenue purposes.
7. This collection of information is conducted in a manner consistent with the guidelines of 5 CFR 1320.6.
8. The ATF firearms liaison consulted with the firearms industry with regards to the creation of the form. The information collection was published in the Federal Register for 60-days and an additional 30-days in order to solicit comments from the general public. No comments were received.
9. No decision of payment or gift is associated with this collection.
10. The confidentiality of information obtained by ATF from regulated individuals is protected under the provisions of 5 U.S.C. 552 and 26 U.S.C. 6103. Confidentiality is not assured.
11. There are no questions of a sensitive nature.
12. There are 300 respondents for this collection. The respondents respond 1 time the total annual responses is 300. The form takes 30 minutes to complete. The total number of annual burden hours is 150. The record keeping requirement for this information collection is 6 years..
13. There is no start-up cost to the respondent. The only cost to the respondent is postage. The total cost is \$126.00 which is not reported on the 83-I because the cost must be reported as thousands.
14. The estimated annual cost to the Federal Government of collecting and processing the information collected through the use of this collection request is as follows:

Printing	\$300
Labor	<u>\$11, 600</u>
Total	<u>\$11, 900</u>
15. There are no program changes or adjustments associated with this collection. There are no changes in burden hours from the previous submission.
16. The results of this information collection will not be published.
17. ATF does not request approval do not display the expiration date of OMB approval for this collection.
18. There are no exceptions to the certification statement.

**B. Collections of Information Employing Statistical Methods**

This information collection request does not employ statistical methods.